

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROSEMARY VERGA,

No. C-06-4969 MMC

Plaintiff,

**ORDER GRANTING UNOPPOSED
MOTION TO DISMISS; VACATING
HEARING**

v.

UNITED AIR LINES, INC.,

(Docket No. 4)

Defendant.

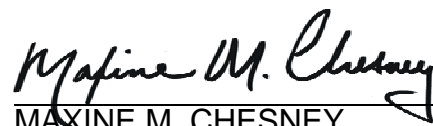
Before the Court is defendant United Air Lines, Inc.'s motion, filed January 3, 2007, to dismiss the instant action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Pursuant to Civil Local Rule 7-3(a), any opposition to the motion was required to be filed no later than January 26, 2007. To date, no opposition has been filed. Having considered the papers filed in support of the motion, the Court finds the matter appropriate for resolution without oral argument, see Civil L.R. 7-1(b), hereby VACATES the February 16, 2007 hearing, and rules as follows.

For the reasons set forth in defendants' motion, the instant action is barred by the doctrine of res judicata. Accordingly, defendant's motion is hereby GRANTED, and the instant action is hereby DISMISSED.

The Clerk shall close the file.

IT IS SO ORDERED.

Dated: February 5, 2007


MAXINE M. CHESNEY
United States District Judge